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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS GARROTT,

Defendant.

CASE NO. 2:18-cr-00252-JCM-VCF-2

STIPULATION AND ORDER TO CONTINUE SENTENCING (SECOND REQUEST)

IT IS HEREBY STIPULATED by and between Nicholas Garrott, Defendant, by and through his counsel, Paola M. Armeni, Esq., of the law firm of Clark Hill PLC and the Plaintiff, United States of America, by and through Nicholas Trutanich, United States Attorney, and Robert Knief, Assistant United States Attorney, that the Sentencing in the above-captioned matter, currently scheduled for July 24, 2020, at the hour of 10:00 a.m. be vacated and set to a date and time convenient to the Court but not earlier than ninety (90) days.

This Stipulation is entered into for the following reasons:

1. Due to the current pandemic, Mr. Garrott seeks to limit his movement in and out of the Southern Nevada Detention facility to decrease any risk of contracting the virus.
2. Additionally, Mr. Garrott has serious concerns regarding the pandemic and does not wish to be designated to a BOP facility (or transported to a BOP facility) which will occur upon sentencing until BOP has made strides to handle the current pandemic crisis.

3. Defendants Mr. Nicholas Garrott, has appeared in this case, and is in custody and, along with the government, agrees to this short continuance.
4. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.
5. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing hearing for good cause. Good cause exists in this case.
6. For all the above-stated reasons, the ends of justice would be best served by a short continuance of the sentencing hearing.
7. This is the second request for a continuance of the sentencing hearing.

NICHOLAS TRUTANICH
UNITED STATES ATTORNEY
DISTRICT OF NEVADA

CLARK HILL PLC

DATED this 8th day of July, 2020.

DATED this 6th day of July, 2020.

/s/Robert Knief
Robert Knief
Assistant United States Attorney
Attorneys for Plaintiff,
UNITED STATES OF AMERICA

/s/Paola M. Armeni
PAOLA M. ARMENI
Attorney for Defendant,
NICHOLAS GARROTT

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

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8
9 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court hereby finds that:

12 **CONCLUSIONS OF LAW**

13 Based on the fact that counsel has agreed to a continuance, the Court hereby concludes
14 that:

- 15 1. Due to the current pandemic, Mr. Garrott seeks to limit his movement in and out of the
- 16 Southern Nevada Detention facility to decrease any risk of contracting the virus.
- 17 2. Additionally, Mr. Garrott has serious concerns regarding the pandemic and does not wish
- 18 to be designated to a BOP facility (or transported to a BOP facility) which will occur
- 19 upon sentencing until BOP has made strides to handle the current pandemic crisis.
- 20 3. Defendants Mr. Nicholas Garrott, has appeared in this case, and is in custody and, along
- 21 with the government, agrees to this short continuance.
- 22 4. The additional time requested herein is not sought for purposes of delay and the denial of
- 23 this request for a continuance could result in a miscarriage of justice.
- 24 5. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing
- 25 hearing for good cause. Good cause exists in this case.
- 26 6. For all the above-stated reasons, the ends of justice would be best served by a short
- 27 continuance of the sentencing hearing.

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ORDER

DATED July 10, 2020.

Case No.: 2:18-cr-00252-JCM-VCF-2